

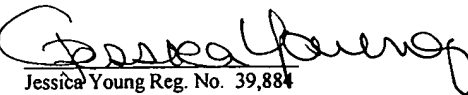
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Haberman, et al.	Docket:	RIC96161
Serial No.:	09/002,187	Art Unit:	2756
Filed:	June 31, 1997	Examiner:	T. Vu
Title:	<b>System and Method for Establishing a Virtual Circuit in an ATM Network</b>		

**RESPONSE UNDER 37 C.F.R. 1.121**

Assistant Commissioner For Patents  
Washington, D.C. 20231

**MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(a)**  
I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on February 4, 2000.

  
Jessica Young Reg. No. 39,884

Dear Sir:

Claims 1-29 are currently pending. The Examiner's remarks in the Office Action have been carefully considered and the foregoing amendments and the following remarks have been made in response thereto.

**Claim Rejections – 35 U.S.C. 102**

The independent claims 1, 6, 14 and 22 are rejected in the Office Action under 35 U.S.C. 102 as being unpatentable over U.S. Patent No. 5,764,639 to Staples (the "Staples reference"). After consideration of the prior art, Applicant traverses the rejection for the following reasons.

With respect to Claim 1, the Staples reference fails to disclose or suggest the requirement of claim 1 of "receiving a request for connection from a client, wherein said request specifies a functional group, and wherein said function group includes a plurality of servers, each capable of servicing said client; and selecting a server from said functional group." The Staples reference merely discloses the prior art method wherein a client specifies a specific server during a connection request. As stated at column 9, lines 4 through 11, "In the embodiments of FIGS. 5 and 6, if telecommuters and road warriors desire to remotely connect to the corporate office, then the corporate office preferably includes a separate virtual presence server 106 dedicated to the telecommuters and road warriors. Thus in the preferred embodiment the functionality between the two different types of virtual presence servers 106 and 107 is not mixed." Thus, each client, i.e. the telecommuters and road warriors send a request to connect to one server. And since functionality of

the servers is not mixed, there is not a group of servers, each capable of servicing said clients. As seen in Figure 12, the client does not request a functional group, but rather a specific server. Thus, the Staples reference fails to discuss or suggest that a client request a functional group or that a server is selected from the functional group.

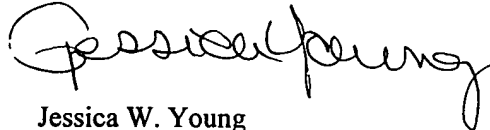
The Staples reference fails to teach or suggest the requirements of independent claims 6, 14 and 22 for similar reasons.

### **Conclusion**

Applicant respectfully requests withdrawal of the Examiner's rejection of claims 1 through 29 and full allowance of same.

While it is believed that the foregoing amendment places the Application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned at (972) 729-7699 to expeditiously resolve any outstanding issues.

Respectfully submitted,



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Date: February 4, 2000

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